

EXHIBIT 5

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Raj V. Abhyanker (SBN: 233284) 1580 W. El Camino Real, Suite 13, Mountain View, CA 94040 TELEPHONE NO.: 650-965-8731 FAX NO.: 650-989-2131 E-MAIL ADDRESS: raj@rajpatent.com ATTORNEY FOR (Name): Raj V. Abhyanker	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara STREET ADDRESS: 191 N. First Street MAILING ADDRESS: 191 N. First Street CITY AND ZIP CODE: San Jose, CA 951136 BRANCH NAME: Downtown Court House	
PLAINTIFF/PETITIONER: Raj Vasant Abhyanker DEFENDANT/RESPONDENT: Benchmark Capital Partners VII, L.P., et al	
NOTICE OF ENTRY OF DISMISSAL AND PROOF OF SERVICE <input type="checkbox"/> Personal Injury, Property Damage, or Wrongful Death <input type="checkbox"/> Motor Vehicle <input checked="" type="checkbox"/> Other <input type="checkbox"/> Family Law <input type="checkbox"/> Eminent Domain <input checked="" type="checkbox"/> Other (specify): Misappropriation of Trade Secrets	CASE NUMBER: 111-CV-212924

TO ATTORNEYS AND PARTIES WITHOUT ATTORNEYS: A dismissal was entered in this action by the clerk as shown on the *Request for Dismissal*. (Attach a copy completed by the clerk.)

Date: 02/07/2012

Raj V. Abhyanker

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

(SIGNATURE)

PROOF OF SERVICE

- I am over the age of 18 and not a party to this cause. My residence or business address is:
- ☒ I am a resident of or employed in the county where the mailing occurred. I served a copy of the *Notice of Entry of Dismissal* and *Request for Dismissal* by mailing them, in a sealed envelope with postage fully prepaid, as follows:
 - ☐ I deposited the envelope with the United States Postal Service.
 - ☐ I placed the envelope for collection and processing for mailing following this business's ordinary practice with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.
 - Date of deposit: 03/26/2012
 - Place of deposit (city and state): Mountain View, CA
 - Addressed as follows (name and address):
Fenwick & West, LLP, 555 California St. # 12 San Francisco, CA 94104
- ☐ I served a copy of the *Notice of Entry of Dismissal* and *Request for Dismissal* by personally delivering copies as shown below:
 - Name of person served:
 - Address at which person served:
 - On (date):
 - At (time):
- ☐ I served a copy of the *Notice of Entry of Dismissal* and *Request for Dismissal* by electronically serving copies as shown below (complete if electronic service is used based on a court order or agreement of the parties):
 - Name of person served:
 - Electronic service address of person served:
 - On (date):
 - At (time):
 - Electronic service address from which I served the documents:☐ Proof of electronic service is attached.
- ☐ Proof of service on additional parties is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

3/26/2012

(TYPE OR PRINT NAME)

Pamela Ju

(SIGNATURE OF DECLARANT)

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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Raj V. Abhyanker (CA SBN# 233284) on his own behalf 1580 W. El Camino Real, Suite 13 Mountain View, CA 94040 TELEPHONE NO.: 650-965-8731 FAX NO. (Optional): 650-989-2131 E-MAIL ADDRESS (Optional): raj@rajpatent.com ATTORNEY FOR (Name):	FOR COURT USE ONLY <div style="font-size: 24pt; font-weight: bold;">ENDORSED FILED</div> <div style="font-size: 18pt; font-weight: bold;">2012 FEB -7 P 2:09</div> David H. Yamasaki, Clerk of the Superior Court County of Santa Clara, California By: <div style="border: 1px solid black; padding: 2px; transform: rotate(-15deg); display: inline-block;">FILED</div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara STREET ADDRESS: 191 N. First Street MAILING ADDRESS: 191 N. First Street CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME: Downtown Court House	
PLAINTIFF/PETITIONER: Raj Vasant Abhyanker DEFENDANT/RESPONDENT: Benchmark Capital Partners VII, L.P. et al.	
<div style="text-align: center; font-weight: bold;">REQUEST FOR DISMISSAL</div> <input type="checkbox"/> Personal Injury, Property Damage, or Wrongful Death <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other <input type="checkbox"/> Family Law <input type="checkbox"/> Eminent Domain <input checked="" type="checkbox"/> Other (specify): Misappropriation of Trade Secrets	CASE NUMBER: <div style="font-size: 18pt; font-weight: bold;">111-CV-212924</div>
- A conformed copy will not be returned by the clerk unless a method of return is provided with the document. -	

1. TO THE CLERK: Please dismiss this action as follows:

- a. (1) ☐ With prejudice (2) ☒ Without prejudice
- b. (1) ☐ Complaint (2) ☐ Petition
 (3) ☐ Cross-complaint filed by (name):
 (4) ☐ Cross-complaint filed by (name):
 (5) ☐ Entire action of all parties and all causes of action
 (6) ☒ Other (specify): * First Amended Complaint

on (date):

on (date):

2. (Complete in all cases except family law cases.)

- ☐ Court fees and costs were waived for a party in this case. (This information may be obtained from the clerk. If this box is checked, the declaration on the back of this form must be completed).

Date: 02/07/2012

Raj V. Abhyanker

(TYPE OR PRINT NAME OF ☐ ATTORNEY ☒ PARTY WITHOUT ATTORNEY)

*If dismissal requested is of specified parties only of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

(SIGNATURE)

Attorney or party without attorney for:

- ☒ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Cross-Complainant

3. TO THE CLERK: Consent to the above dismissal is hereby given.**

Date:

(TYPE OR PRINT NAME OF ☐ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

** If a cross-complaint -- or Response (Family Law) seeking affirmative relief -- is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581 (i) or (j).

Attorney or party without attorney for:

- ☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Cross-Complainant

(To be completed by clerk)

FEB - 7 2012

- 4.
- ☒
- Dismissal entered as requested on (date):

- 5.
- ☐
- Dismissal entered on (date):

as to only (name):

- 6.
- ☐
- Dismissal not entered as requested for the following reasons (specify): FEB - 7 2012

7. a.
- ☒
- Attorney or party without attorney notified on (date):

- b.
- ☐
- Attorney or party without attorney not notified. Filing party failed to provide

☐ a copy to be conformed ☐ means to return conformed copy

Date:

FEB - 7 2012

Clerk, by

Deputy

DAVID H. YAMASAKI
 Clerk of the Superior Court
 County of Santa Clara

PLAINTIFF/PETITIONER: Raj Vasant Abhyanker	CASE NUMBER:
DEFENDANT/RESPONDENT: Benchmark Capital Partners VII, L.P. et al.	111-CV-212924

Declaration Concerning Waived Court Fees

The court has a statutory lien for waived fees and costs on any recovery of \$10,000 or more in value by settlement, compromise, arbitration award, mediation settlement, or other recovery. The court's lien must be paid before the court will dismiss the case.

1. The court waived fees and costs in this action for (name):
2. The person in item 1 (check one):
 - a. ☐ is not recovering anything of value by this action.
 - b. ☐ is recovering less than \$10,000 in value by this action.
 - c. ☐ is recovering \$10,000 or more in value by this action. (If item 2c is checked, item 3 must be completed.)
3. ☐ All court fees and costs that were waived in this action have been paid to the court (check one): ☐ Yes ☐ No

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

(TYPE OR PRINT NAME OF ☐ ATTORNEY ☐ PARTY MAKING DECLARATION)



(SIGNATURE)